IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.1775 OF 2004

Dorothy D'Silva.....Petitioner
Vs.
Universal English High School & Ors..Respondents

Ms.Hutoxi Tavadia for the Petitioner.
Ms.Neeta Joshi i/b. N.R.Jadhav, for the Respondent No.3.
Mrs.N.V. Sanglikar, for Respondent No.2.
Mr. P.G. Lad for Respodent No.7.

CORAM: F.I. REBELLO & S.P.KUKDAY, JJ.
DATE : 23rd March, 2005

P.C.

. The case of the petitioner is that though she was senior and considering Rule 22 juniors had to be first terminated in the event of reduction in strength of the school. The management has retained juniors while terminating the services of the seniors. Learned Counsel for the respondent No.3 points out that the petitioner compared to Neelam is senior. It is also pointed out that the services of the respondent No.3 have since been terminated.

2. The Rules do not provide for any Appeal in the matter of such termination. Rule 20 covers termination in case of misconduct only.

3. However, Rule 5 provides for conditions of recognition which requires the management to follow the Rules including Rule 22. Considering the above, it will be open to the petitioner, if still aggrieved to make representation to the Education Committee. The Education Committee to consider the said representation and if need be to make enquiry through the Education Officer about the contention of the petitioner that

juniors have been retained and thereafter to dispose of the representation according to law.

. With the above direction petition stands disposed of.

(F.I. REBELLO, J.)

(S.P. KUKDAY, J.)